UNITED
NATIONS

E

Economic and Social
Council

PROVISIONAL

E/1995/SR.58
3 November 1995

ORIGINAL: ENGLISH

Resumed substantive session of 1995

PROVISIONAL SUMMARY RECORD OF THE 58th MEETING

Held at Headquarters, New York,
on Wednesday, 25 October 1995, at 4 p.m.

President: Mr. KAMAL (Pakistan)

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The meeting was called to order at 5.35 p.m.

TRIBUTE TO THE MEMORY OF KENNETH K. S. DADZIE

The PRESIDENT paid tribute to the memory of Kenneth K. S. Dadzie who had served the United Nations as Director-General for Development and International Economic Cooperation from 1978 to 1982 and Secretary-General of UNCTAD from 1986 to 1994. A special commemorative meeting of the Council would be held in Mr. Dadzie's honour.

At the invitation of the President, the members of the Council observed a minute of silence.

ADOPTION OF THE AGENDA

The agenda for the resumed substantive session of 1995, as contained in document E/1995/119, was adopted.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued)

Report of the Committee on Non-Governmental Organizations (E/1995/124)

The PRESIDENT drew attention to the report of the Committee on Non-Governmental Organizations contained in document E/1995/124 and, in particular, to the draft decision in paragraph 6 recommended by the Committee for adoption by the Council entitled "Applications for participation in the open-ended inter-sessional Working Group of the Commission on Human Rights to elaborate a draft declaration on the rights of indigenous peoples from organizations of indigenous people not in consultative status with the Economic and Social Council". He informed the Council that, on the basis of informal consultations, it had been proposed to add the following new operative paragraphs to the draft decision:

"The Council requests the Committee on Non-Governmental Organizations to meet urgently to continue its consideration of the remaining applications from organizations of indigenous people that are interested in participating in the Working Group, with a view to the Council receiving the Committee's recommendations in time to allow the

participation of the approved organizations including at the first session of the Working Group;

"The Council invites Governments wishing to submit their views on the applications to do so at an early stage."

Ms. KELLEY (Secretary of the Council) read out a number of editorial changes to the draft decision.

Mr. DIN HAMID (Sudan) said that the draft decision dealt with an important and sensitive matter. Since there was a danger that the activities of the Working Group might become politicized, applications from groups of indigenous people wishing to participate in its work must be carefully scrutinized. The accreditation process must include consultations with the Governments involved. Yet, the second new operative paragraph, did not make clear how those consultations were to be carried out.

Ms. KELLEY (Secretary of the Council) said that upon receipt of an application from a group of indigenous people, the Centre for Human Rights would inform the Governments concerned by letter and invite them to comment.

Mr. BAILLARGEON (Canada) said that he supported both the draft decision and the proposed new operative paragraphs, which had the effect of enabling the Committee on Non-Governmental Organizations to consider most of the applications prior to the first session of the Working Group, thus encouraging the widest possible participation in its work. He was concerned, however, that the lack of availability of language services might hamper the Committee's deliberations. He requested therefore that the first session of the Working Group should be postponed to allow the Committee to complete the accreditation process.

Ms. KELLEY (Secretary of the Council) said that language services would be available for the meeting of the Committee on Non-Governmental Organizations.

Ms. FENG Cui (China) said that the second new operative paragraph was not consistent with Economic and Social Council resolution 1995/32. While paragraph 5 of that resolution stipulated that the Coordinator of the International Decade of the World's Indigenous People should forward applications to the Committee only after consultations with the States concerned, the second new operative paragraph merely stated that Governments were invited to submit their views. That appeared to imply that the Coordinator

was no longer required to consult with States. Nor was it clear from Economic and Social Council resolution 1995/32 which States were to be consulted. It was her delegation's view that the wording "the States concerned" should be interpreted to include not only States on whose territory groups of indigenous people were active, but also any State affected by the activities of those groups.

Mr. STOBY (Director, Division for Policy Coordination and Economic and Social Council Affairs) said he could assure delegations that no application would be submitted to the Committee without first affording States an opportunity to comment, as was clearly provided for in paragraph 4 of the annex to Commission on Human Rights resolution 1995/32. However, only States in whose territory the groups of indigenous people operated would be consulted.

Mrs. ESPINOSA (Mexico), supported by Mr. BIGGAR (Ireland), said that there had been no intention to undermine the provisions of Economic and Social Council resolution 1995/32. She proposed that, in order to clarify the point, the second new operative paragraph should be amended to read "in accordance with paragraph 5 of Economic and Social Council resolution 1995/32, the Council invites Governments wishing to submit their views on the applications to do so at an early stage".

Mr. RATA (Observer for New Zealand) said that he shared the concerns expressed by Canada and stressed the need to ensure the widest possible participation by indigenous groups at the upcoming session of the Working Group. Accordingly, the Committee on Non-Governmental Organizations should consider the remaining applications from organizations of indigenous people well in advance of that session. His delegation supported the draft decision in document E/1995/124 and the additional paragraphs read out by the Secretary.

Mrs. LIMJUCO (Philippines) said that her delegation supported the inclusion of the two paragraphs read out by the Secretary and the amendment to the second paragraph proposed by China.

Ms. FENG Cui (China) said that her delegation could accept the inclusion of the two additional paragraphs with the amendment proposed by her delegation to the second paragraph.

Mr. BARRETO (Observer for Peru), referring to the list of organizations of indigenous people contained in the draft decision in document E/1995/124, said that his Government had objected to participation by the

Asociación Interétnica de Desarrollo de la Selva Peruana and that it should therefore be deleted from the list.

Mrs. LIMJUCO (Philippines), speaking as Chairman of the Committee on Non-Governmental Organizations, said that a request to Governments to comment on applications by organizations of indigenous people was tantamount to informing them that the organizations had applied for participation in the Working Group. The Committee had felt it necessary to encourage the participation of indigenous peoples in the formulation of a declaration that affected them and therefore had decided that the organization in question was fully qualified to participate. Nevertheless, in view of the observation made by the Peruvian representative, she suggested that the application by that organization should be put on hold until the Committee could review it.

The PRESIDENT said he took it that the Council wished to adopt the draft decision in document E/1995/124 with the inclusion of the two additional paragraphs and the amendment to the second paragraph, as well as the deletion of the reference to the Asociación Interétnica de Desarrollo de la Selva Peruana.

It was so decided.

Mr. COLOMA (Chile) expressed satisfaction at the adoption of the draft decision and stressed that it should be clearly understood that the Committee on Non-Governmental Organizations would review the application from the Asociación Interétnica de Desarrollo de la Selva Peruana, take a decision on the matter and report back to the Council.

Ms. WONG (Australia) noted with satisfaction the adoption of the draft decision and expressed the hope that the Committee on Non-Governmental Organizations could meet as soon as possible in order to ensure the widest possible participation by organizations of indigenous people in the Working Group.

Mrs. LIMJUCO (Philippines), speaking as Chairman of the Committee on Non-Governmental Organizations, said that the Committee should try to determine how it should view the comments from Governments on applications by organizations of indigenous people since Economic and Social Council resolution 1995/32 did not provide any clear guidance on the subject. The decision taken by the Committee in that regard would then be included in the report to be submitted to the Council, as proposed by the representative of Chile.

Mr. DIN HAMID (Sudan) said that his delegation had supported the adoption of the draft decision on the understanding that the Governments concerned would be fully involved in the decision-making process relating to applications from the so-called "organizations of indigenous people" and stressed the need to have a clear definition of such organizations.

SOCIAL DEVELOPMENT QUESTIONS: TENTH ANNIVERSARY OF THE INTERNATIONAL YOUTH YEAR AND THE WORLD PROGRAMME OF ACTION FOR YOUTH TO THE YEAR 2000 AND BEYOND

The PRESIDENT drew attention to the final draft of the world programme of action for youth to the year 2000 and beyond (A/1995/123 and Corr.1).

Mr. PAPADATOS (Greece), Vice-President, said that during the open-ended informal consultations in the working group, agreement had been reached on all paragraphs of the final draft of the world programme of action, except for paragraphs 56 to 58. In addition, a new text of paragraph 137 had been proposed but consensus had not been reached on the text owing to lack of time.

Mrs. LIMJUCO (Philippines) said that the Committee should proceed with the adoption of the proposed new version of paragraph 137.

Mr. KAREV (Russian Federation) said that his delegation had wished to propose the insertion of the phrase "and countries with economies in transition" after the word "countries" in the penultimate line of the proposed new text of paragraph 137.

Mr. FERNANDEZ (Spain) said that his delegation did not agree with the statement made by the Vice-President concerning the results of the work of the open-ended working group. The working group had completed its consultations on the final draft of the world programme of action and the results of that process were reflected in document E/1995/123. At a subsequent meeting held on 25 October to check whether there were any errors in the text, a delegation had put forward certain amendments. However, those amendments, were not part of the process completed earlier. He added that the new text of paragraph 137 was acceptable to his delegation.

The PRESIDENT said that there seemed to be general agreement on the new text of paragraph 137.

Mrs. LIMJUCO (Philippines) said that agreement could be reached on paragraphs 56 to 58 if further time could be given for informal consultations.

The PRESIDENT said that the meeting would be suspended in order to allow for informal consultations with the aim of reaching agreement on the paragraphs in question.

The meeting was suspended at 6.45 p.m. and resumed at 7.15 p.m.

Mrs. LIMJUCO (Philippines) said that while she had no objection to the proposal made by the Russian Federation, that point should be made in a separate paragraph since delegations wished to maintain the existing wording of the new version of paragraph 137. There did not seem to be consensus, however, on paragraphs 56 to 58.

The PRESIDENT said that, in view of the lack of agreement on the final draft of the world programme of action for youth, and the pressure of time, he would conclude consideration of the item and leave it to the President of the General Assembly to take appropriate action.

PROGRAMME AND RELATED QUESTIONS IN THE ECONOMIC, SOCIAL AND RELATED FIELDS (continued)

(b) CALENDAR OF CONFERENCES AND MEETINGS IN THE ECONOMIC, SOCIAL AND RELATED FIELDS FOR THE BIENNIUM 1996-1997 (continued) (E.1995/L.20 and Add.1 and Add.2, and L.67 and L.68)

The PRESIDENT drew attention to documents E/1995/L.20 and Add.1 and Add.2, which contained the provisional calendar of conferences and meetings for 1996 and 1997 in the economic, social and related fields. In its decision 1995/311, the Council had decided to retain the item entitled "Programme and related questions in the economic, social and related fields" in the agenda of its substantive session of 1995 in order to consider the question of the biennialization of the meetings of its subsidiary bodies.

Mr. HOPE (United States of America) introduced draft resolution E/1995/L.67 on the calendar of conferences and meetings, which was part of the general effort to reform the United Nations system and enhance its effectiveness. His delegation looked forward to consultations on the matter with other interested delegations.

The PRESIDENT drew attention to document E/1995/L.68, which contained a draft decision recommended by the Open-ended Ad Hoc Intergovernmental Panel on Forests of the Commission on Sustainable Development at its first session for adoption by the Council, entitled "Future sessions of the Open-ended Intergovernmental Panel on Forests".

Ms. KELLEY (Secretary of the Council) said that the costs of extending the second session of the Open-ended Ad Hoc Intergovernmental Panel on Forests, as proposed in the draft decision contained in document E/1995/L.68, would be met within the resources under section 26E, Conference services, of the proposed programme budget for the biennium 1996-1997.

The PRESIDENT said he took it that the Council wished to adopt the draft decision recommended by the Open-ended Ad Hoc Intergovernmental Panel on Forests.

It was so decided.

The PRESIDENT said he took it that the Council wished to approve the provisional calendar of conferences and meetings for 1996 and 1997 in the economic, social and related fields as set out in documents E/1995/L.20 and Add.1 and Add.2, as revised by the adoption of draft decision E/1995/L.68 and with the deletion of the dates for the 1996 special session of the Commission on Social Development, which would be considered by the Council at a later date.

It was so decided.

The meeting rose at 7.25 p.m.

UNITED
NATIONS

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Economic and Social
Council

PROVISIONAL

E/1995/SR.59
11 November 1995

ORIGINAL: ENGLISH

Resumed substantive session for 1995

PROVISIONAL SUMMARY RECORD OF THE 59th MEETING

Held at Headquarters, New York,
on Thursday, 2 November 1995, at 11 a.m.

President: Mr. KAMAL (Pakistan)

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(f) SOCIAL DEVELOPMENT QUESTIONS (continued)

ORGANIZATION OF WORK

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The meeting was called to order at 11.55 a.m.

SOCIAL, HUMANITARIAN AND HUMAN RIGHTS QUESTIONS: REPORTS OF SUBSIDIARY BODIES, CONFERENCES AND RELATED QUESTIONS (continued) (E/1995/124/Add.1)

Report of the Committee on Non-governmental Organizations

The PRESIDENT drew attention to the report of the Committee on Non-governmental Organizations (E/1995/124/Add.1). Paragraph 5 of the report contained a draft decision recommended for adoption by the Council on applications for participation in the open-ended inter-sessional Working Group of the Commission on Human Rights to elaborate a draft declaration on the rights of indigenous peoples from organizations of indigenous people not in consultative status with the Economic and Social Council. He took it that the Council wished to adopt the draft decision.

It was so decided.

(f) SOCIAL DEVELOPMENT QUESTIONS (continued) (A/1995/123 and Corr.1 and A/1995/L.69)

Mrs. LIMJUCO (Philippines), speaking on behalf of the Group of 77 and China, proposed that the Council should resume consideration of document E/1995/L.123 and Corr.1 in order to adopt the final draft of the world programme of action for youth to the year 2000 and beyond. There was a consensus among the Group of 77 and other delegations that there should be no further discussion of any of the paragraphs in the text and that the final draft should therefore be adopted at the current meeting. Delegations which had reservations about the text could express their views, but that should not prevent the Council from adopting the programme by consensus.

The PRESIDENT recalled that, at the previous meeting, it had been reported that agreement had not been reached on a number of paragraphs during the open-ended informal consultations in the working group of the world programme of action for youth. The President had then announced that no consensus had yet been reached on the final draft in document E/1995/123 and Corr.1 and that he would consult with the President of the General Assembly on

the matter. According to the statement just made by the Philippines, that situation had changed and a consensus seemed to have been reached.

Mr. ELDEEB (Egypt) said that nothing had changed since the Council's previous meeting and that a consensus had still not been reached on the draft text. While his delegation hoped that the world programme would be adopted by consensus, he wished to further improve the text so that it could be acceptable to all the delegations. Further informal consultations could be held in order to achieve a consensus; and the world programme could then be adopted by consensus in a formal meeting.

Ms. WAHBI (Sudan) said that her delegation wished to adopt the world programme of action for youth in order to have a framework for international cooperation in that field. Nevertheless, no consensus had emerged since the previous meeting of the Council.

Mrs. TAVARES DE ÁLVAREZ (Observer for the Dominican Republic) urged the Council to adopt the world programme of action for youth by consensus at that meeting in view of the importance of the question and the agreement reached on the matter by the Group of 77 and other delegations.

Mr. RODRÍGUEZ (Observer for Spain), speaking on behalf of the European Union, said that his delegation had felt that a consensus had been reached during the open-ended informal consultations on the world programme of action and therefore supported its adoption by consensus at the current meeting.

The PRESIDENT said that, following the previous meeting of the Council, he had informed the President of the General Assembly that a consensus had not been reached on the world programme of action owing to lack of time. However, if a consensus had been reached on the draft text subsequently, it could be adopted at the current meeting.

Mrs. LIMJUCO (Philippines) said that there was consensus on the document. When she had referred, in her statement to the General Assembly, to disagreement, she had meant that it had not been possible to accommodate the views of all delegations in the final text. Nevertheless, the document had received broad agreement and those delegations which had reservations should not now attempt to reopen discussion.

Mr. OTUYELU (Nigeria) said that the programme of action had been drafted after two years of deliberations by the working group which, in his view, had done a good job. At the special plenary meetings of the General

Assembly all speakers had called for its adoption. Though not all delegations were satisfied with every part of the text, they must bear in mind that no document could be perfect and he appealed to them to approve the programme of action now before them, imperfect though it was.

Mr. DEHGHANI (Observer for the Islamic Republic of Iran) said that further consultations were necessary since no consensus had been reached on certain paragraphs of the document.

The PRESIDENT said he wished to make it clear that consensus had been reached on all paragraphs of the document, but that consensus had subsequently broken down. It would be incorrect to give the impression that there had never been consensus.

Mr. AGGREY (Ghana) said he also recalled that consensus had been reached. Moreover, the consensus had broken down over issues which had been discussed many times already. The real question was not whether there had been consensus, but whether the Council genuinely wished to adopt a programme of action. If that were the case, the document would be approved at once, as the Philippine delegation had requested. No delegation should try to undo what had been achieved by the Working Group. The Council must act with dignity, maturity and responsibility. It must decide whether it was more important to arrive at consensus or to agree upon a text. If further informal discussions were held, it was unlikely that any text would emerge.

Mr. COLOMA (Chile) agreed that the debate should not be prolonged indefinitely. Delegations which had objections to specific paragraphs should join the consensus, stating their reservations after the adoption of the programme of action.

Ms. WAHBI (Sudan) said that, while her delegation supported the concept of a world programme of action for youth, no purpose would be served by adopting a document upon which consensus had not been reached, since States would not be able to implement a text which did not accommodate their concerns.

Mr. ELDEEB (Egypt) said that, while his delegation wished the document to be adopted as soon as possible, there must be genuine consensus. Egypt had requested that the wording of three paragraphs should be improved. There had been no intention to reopen negotiations on the entire text.

Mr. CONTINI (France) said he supported the view of the Spanish delegation that the statement made by the Chairman of the working group to the

effect that consensus had not been reached was incorrect. The document had been agreed upon by all parties present, including those delegations which had since expressed objections. He urged them to state their reservations after the adoption of the document in accordance with the usual procedure.

Ms. ENGELBRECHT (South Africa) observed that consensus and unanimity were not synonymous. If the Council strove to reach unanimity, nothing would be achieved.

Mrs. LIMJUCO (Philippines), supported by Mrs. CHIGAGA (Observer for Zambia) said that, as consensus had been reached, the Council should proceed to adoption of the programme of action.

Mr. TELLES RIBEIRO (Brazil), recalling that consensus was not the same thing as unanimity, suggested that an appeal might be made to those delegations which still had some difficulties with the wording of the text to make declarations to that effect after its adoption.

Ms. MURUGESAN (India) expressed support for the remarks made by Brazil, the Philippines and South Africa, and said that the interpretation of any particular paragraph was a matter for each individual Member State.

Mr. DEHGHANI (Observer for the Islamic Republic of Iran) said that, despite the existence of the right to express reservations, it would be preferable for the Council to arrive at a genuine consensus, and that with some flexibility, it should be possible to do so.

Mrs. MSUYA (United Republic of Tanzania) said that consensus had in fact been reached, and appealed to all delegations to adopt the document.

Ms. DURÁN (Venezuela) said that her delegation had joined the consensus within the Group of 77, and was in favour of adopting the document.

Ms. BUCK (Canada) agreed with the remarks of the European Union and of the Group of 77. After so many years of negotiation, it was time to adopt the document, and those delegations which had problems should make reservations.

Ms. AKBAR (Observer for Antigua and Barbuda) and Mr. BARRETO (Observer for Peru) expressed support for the appeal made by the delegation of the Philippines, on behalf of the Group of 77, that the document should be adopted without further delay.

The PRESIDENT suggested that an overwhelming number of members of the Council were in favour of immediate adoption of the draft programme of action. The latest attempt to introduce amendments to certain paragraphs had failed to

bring on board any wider support in the Council, and he urged that those countries which had difficulties, rather than blocking consensus, should enter their reservations in whatever manner they wished. Otherwise, the debate on the subject would continue endlessly. If it proved impossible for the Council to adopt any document on the subject of the world programme of action, the credibility and sense of responsibility of the Council would be seriously called into question.

Mr. ELDEEB (Egypt) said that his Government still had reservations regarding the formulation of paragraphs 56, 57 and 58 of the draft. The rights of young people in the area of sexual health must be understood within the framework of parental responsibilities. His delegation would not, however, oppose the consensus on the adoption of the draft.

Ms. WAHBI (Sudan) said that a real consensus would require that the world programme of action should be truly capable of being implemented. That in turn required that the preoccupations of different States, with their diverse social structures and cultural and religious beliefs, should be taken into account. While the programme contained many positive elements, it did not sufficiently take account of those differences.

The PRESIDENT said that he would take it that the Council wished to adopt the draft of the world programme of action for youth to the year 2000 and beyond.

It was so decided.

Ms. WAHBI (Sudan) said that her delegation had reservations on paragraphs 8 (g), 49, 56, 57 and 58 of the draft world programme of action. The culture, society, and beliefs of the Sudan were such that no pregnancy could be considered unwanted, except for medical reasons. Also, the provision to young people and adolescents of health-care services in respect of sexual matters must be subject to parental guidance and supervision.

Mr. KHAN (Pakistan) said that his Government, while welcoming the adoption of the draft world programme of action for youth to the year 2000 and beyond, reserved its position regarding paragraphs 56, 57 and 58.

The PRESIDENT invited the Council to consider the draft resolution contained in document E/1995/L.69, recommending to the General Assembly the adoption of the World Programme of Action for Youth to the Year 2000 and Beyond.

Mr. AQUARONE (Netherlands), speaking on behalf of the sponsors, said that the beginning of paragraph 2 of the draft resolution should be amended to read "Invites Governments, with the support of the international community, non-governmental organizations, as well as the public and private sectors ...".

Mrs. LIMJUCO (Philippines), supported by Mr. ELDEEB (Egypt), proposed that in the fifth preambular paragraph, the words "including the Youth Forum" should be deleted.

Mr. AQUARONE (Netherlands) said that the sponsors would accept that amendment.

The draft resolution, as orally revised, was adopted.

The PRESIDENT expressed his thanks to those delegations which, despite their significant difficulties with the draft world programme of action, had none the less permitted its adoption by consensus.

ORGANIZATION OF WORK

The PRESIDENT informed the Council that, in the context of efforts to bring the Bretton Woods institutions closer to the United Nations system, an agreement had been signed between the United Nations, the World Trade Organization and the International Monetary Fund (IMF), copies of which would be circulated to members of the Council. Furthermore, the Managing Director of IMF and the President of the World Bank had been invited to take part in an informal meeting of the Council.

The meeting rose at 1.25 p.m.